

BOIES, SCHILLER & FLEXNER LLP
 RICHARD J. POCKER (NV Bar No. 3568)
 300 South Fourth Street, Suite 800
 Las Vegas, NV 89101
 Telephone: (702) 382-7300
 Facsimile: (702) 382-2755
 rpocker@bsflfp.com

BOIES, SCHILLER & FLEXNER LLP
 STEVEN C. HOLTZMAN (*pro hac vice*)
 FRED NORTON (*pro hac vice*)
 KIERAN P. RINGGENBERG (*pro hac vice*)
 1999 Harrison Street, Suite 900
 Oakland, CA 94612
 Telephone: (510) 874-1000
 Facsimile: (510) 874-1460
 sholtzman@bsflfp.com
 fnorton@bsflfp.com
 kringgenberg@bsflfp.com

Attorneys for Plaintiffs Oracle USA, Inc.,
 Oracle America, Inc. and Oracle International
 Corp.

BINGHAM McCUTCHEN LLP
 GEOFFREY M. HOWARD (*pro hac vice*)
 BREE HANN (*pro hac vice*)
 THOMAS S. HIXSON (*pro hac vice*)
 KRISTEN A. PALUMBO (*pro hac vice*)
 Three Embarcadero Center
 San Francisco, CA 94111-4067
 Telephone: 415.393.2000
 Facsimile: 415.393.2286
 geoff.howard@bingham.com
 bree.hann@bingham.com
 thomas.hixson@bingham.com
 kristen.palumbo@bingham.com

DORIAN DALEY (*pro hac vice*)
 DEBORAH K. MILLER (*pro hac vice*)
 JAMES C. MAROULIS (*pro hac vice*)
 ORACLE CORPORATION
 500 Oracle Parkway, M/S 50p7
 Redwood City, CA 94070
 Telephone: 650.506.4846
 Facsimile: 650.506.7114
 dorian.daley@oracle.com
 deborah.miller@oracle.com
 jim.maroulis@oracle.com

UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
 ORACLE AMERICA, INC., a Delaware
 corporation; and ORACLE INTERNATIONAL
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
 SETH RAVIN, an individual,

Defendants.

Case No 2:10-cv-0106-LRH-PAL

**PLAINTIFFS ORACLE USA, INC.,
 ORACLE AMERICA, INC., AND
 ORACLE INTERNATIONAL
 CORPORATION'S MOTION TO
 SEAL EXHIBIT B TO STIPULATION
 AND [PROPOSED] ORDER RE
 DERIVATIVE WORKS**

1 **PLAINTIFFS' MOTION TO SEAL**

2 Pursuant to the Stipulated Protective Order governing confidentiality of documents
 3 entered by the Court on May 21, 2010, Dkt. 55 ("Protective Order"), and Rules 5.2 and 26(c) of
 4 the Federal Rules of Civil Procedure, Plaintiffs Oracle USA, Inc., Oracle America, Inc. and
 5 Oracle International Corporation (together "Oracle" or "Plaintiffs") respectfully request that the
 6 Court order the Clerk of the Court to file under seal Exhibit B to the Stipulation and [Proposed]
 7 Order re Derivative Works ("Exhibit B"). Exhibit B was lodged under seal with the Court on
 8 June 1, 2011. *See* Dkt. 145.

9 Sealing Exhibit B is requested because the document contains information that
 10 Defendants Rimini Street, Inc., and Seth Ravin ("Defendants") have designated as "Highly
 11 Confidential Information – Attorneys' Eyes Only" under the terms of the Protective Order. The
 12 requested relief is necessary and narrowly tailored to protect the confidentiality of the
 13 commercially sensitive business information identified by Defendants, namely, Defendants' list
 14 of current and former customers. The Protective Order provides that: "Counsel for any
 15 Designating Party may designate any Discovery Material as 'Confidential Information' or
 16 'Highly Confidential Information – Attorneys' Eyes Only' under the terms of this Protective
 17 Order **only if such counsel in good faith believes that such Discovery Material contains such**
 18 **information and is subject to protection under Federal Rule of Civil Procedure 26(c).** The
 19 designation by any Designating Party of any Discovery Material as 'Confidential Information' or
 20 'Highly Confidential Information – Attorneys' Eyes Only' shall constitute a representation that
 21 an attorney for the Designating Party reasonably believes there is a valid basis for such
 22 designation." Protective Order ¶ 2 (emphasis supplied).

23 Thus, in identifying Exhibit B as containing Highly Confidential material, Defendants as
 24 the designating parties have represented that good cause exists for sealing Exhibit B. This is a
 25 sufficient showing of good cause to permit a sealing order on a non-dispositive motion. *See,*
 26 *e.g., Pacific Gas and Elec. Co. v. Lynch*, 216 F. Supp. 2d 1016, 1027 (N.D. Cal. 2002).

27 Defendants have designated the entirety of Exhibit B as Highly Confidential. The parties
 28 have submitted all other materials related to the Stipulation and [Proposed] Order re Derivative

1 Works, Dkt. 143, filed June 1, 2011, for filing in the Court's public files, which would allow
2 public access to the filings except for Defendants' Highly Confidential materials. Accordingly,
3 the request to seal is narrowly tailored.

4 For the foregoing reasons, Oracle respectfully requests that the Court find that good cause
5 exists to file under seal Exhibit B.

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7 DATED: May 13, 2011

BINGHAM McCUTCHEN LLP

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9 By: /s/ Geoffrey M. Howard
10 Geoffrey M. Howard
11 Attorneys for Plaintiffs
12 Oracle USA, Inc., Oracle America, Inc.,
13 and Oracle International Corp.
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